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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/523,533

02/02/2005

Philip Rene Leurs

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01/25/2008

PHILIPS ELECTRONICS NORTH AMERICA CORPORATION
INTELLECTUAL PROPERTY & STANDARDS
370 W. TRIMBLE ROAD MS 91/MG
SAN JOSE, CA 95131

EXAMINER

NGO, HUNG V

ART UNIT

PAPER NUMBER

2831

MAIL DATE

DELIVERY MODE

01/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/523,533	Applicant(s) LEURS ET AL.	
	Examiner Hung V. Ngo	Art Unit 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 11-15 is/are pending in the application.
- 4a) Of the above claim(s) 9-10 and 16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 11-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>02-02-05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of group 1, claims 1-8, 11-15 in the reply filed on 11-18-07 is acknowledged.

Information Disclosure Statement

The information disclosure statement filed 02-02-05 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Drawings

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawings are not of sufficient quality to permit examination. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Color photographs and color drawings are not accepted unless a petition filed under 37 CFR 1.84(a)(2) is granted. Any such petition must be accompanied by the appropriate fee set forth in 37 CFR 1.17(h), three sets of color drawings or color photographs, as appropriate, and, unless already present, an amendment to include the

following language as the first paragraph of the brief description of the drawings section of the specification:

The patent or application file contains at least one drawing executed in color. Copies of this patent or patent application publication with color drawing(s) will be provided by the Office upon request and payment of the necessary fee.

Color photographs will be accepted if the conditions for accepting color drawings and black and white photographs have been satisfied. See 37 CFR 1.84(b)(2).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Glovatsky et al (US 6,320,128).

Glovatsky et al disclose an electronic product comprising a body provided with a three-dimensional shape that is derived from the product and incorporates structurally at least part of the product shape (Fig 8), wherein the body comprises an electrically insulating material (20) and a pattern of electrical conductors (24), wherein the pattern includes contact pads for external contacting and the conductors are mechanically anchored in the body(Fig 2), a plurality of electric elements (26) being encapsulated (30) in the body and being electrically connected to the pattern of electrical conductors (Figs 2, 3).

Re claim 2, further comprising means for mechanical attachment of a component or carrier (52) to the body (Fig 5).

Re claim 3, wherein the pattern of conductors includes contact pads for contacting a component (26) that can be assembled to a surface of the body, and wherein the three-dimensional shape of the body is fitted for assembly of the component(Fig 2).

Re claim 5, further comprising a separate signal processing unit (26) in or at a surface of the body.

Re claim 6 Glovatsky et al disclose a body suitable for use as a product part in a desired product and provided with a three-dimensional shape that is derived from the desired product and incorporates structurally at least part of the product shape, the body comprising an electrically insulating material (20) and a pattern of electrical conductors (24), wherein the pattern includes contact pads for external contacting (Fig 2) and wherein the conductors are mechanically anchored in the body (Fig 2), a plurality of electric elements (26) being encapsulated (30) in the body and being electrically connected to the pattern of electrical conductors, wherein the conductors are present at a surface only partially (Fig 2).

Re claim 7, wherein the contact pads for external contacting are exposed at the surface of the body (Fig 2).

Re claim 8, further comprising means for mechanical attachment of a device, component or carrier (52) to the body.

Claims 11-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Gazit et al (US 5,219,640).

Re claim 11, Gazit et al disclose an electrically insulating body (10) provided with a conductor pattern (16), which body acts as a carrier of the conductor pattern and as a carrier of elements embedded in the body and/or components assembled to the body (Fig 6), which body includes a rigid portion and a flexible portion (25), in which rigid portion the body comprises a non-elastic electrically insulating material and in which flexible portion the body comprises an elastic, electrically insulating material (abstract).

Re claim 12, wherein the flexible portion comprises conductors according to a desired pattern (Fig 4).

Re claim 13, wherein the flexible portion is provided between a first and a second rigid portion (Fig 6).

Re claim 14, wherein the pattern of conductors is at least partially present at a surface of the body (Fig 1) (abstract).

Re claim 15, and an electric element that is assembled to the body or embedded in the body (Fig 13).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Glovatsky et al in view of Kessler (US 4,410,759).

The teaching as discussed above does not disclose a sensing or transmitting first element at a surface of the body for radiation of a first kind and an auxiliary second element for processing or providing of the radiation, the first element and the second element having a predetermined spatial interrelationship to each other to allow their functioning, which is defined in the body, the first element being electrically connected to the pattern of electrical conductors in the body.

Kessler teaches the use of a transmitting element and a second element for processing the signal (communication modem)(Figs 1, 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the structure of Glovatsky et al by employing the transmitting element and the second element for communication purpose.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung V. Ngo whose telephone number is (571) 272-1979. The examiner can normally be reached on Monday to Thursday 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on (571) 272-2800 EXT 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HVN
01-19-08

Hung V. Ngo

**HUNG V. NGO
PRIMARY EXAMINER**